

ORDINANCE NO. O2025-052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 153 AND CHAPTER 154 OF THE YUMA CITY CODE TO COMPLY WITH STATE STATUTE RELATING TO MUNICIPAL ADMINISTRATIVE REVIEWS; AND DECLARING AN EMERGENCY

WHEREAS, House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review site plans, development plans, land divisions, lot ties, preliminary plats, final plats and plat amendments without a public hearing; and,

WHEREAS, House Bill 2447 has an effective date of December 31, 2025, and in order to comply with that effective date, this ordinance shall be enacted as an emergency and shall be in effect upon adoption on December 17, 2025; and,

WHEREAS, from time to time, it may be desirable to modify the zoning code within the context of a dynamic and growing community; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on October 27, 2025 in Case No: ZONE-44496-2025 in the manner prescribed by law for the purpose of amending the City of Yuma Zoning Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on October 3, 2025; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the zoning code text amendment in Case No: ZONE-44496-2025 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this amendment, and finds that the recommendation complies with and supports the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: Yuma City Code, Title 15, Chapter 153, Subdivisions be amended to insert the bolded text and delete the strike through text:

General Provisions

§ 153-01 Purpose and Intent for Plat Approval Procedure.

Under the authority of the City Charter, Article III, Section 12, Land Use, and state statutes granting to municipalities the right to review and approve subdivision of lands (Title 9, Chapter ~~6~~ **4**, Article 6.2, Municipal Subdivision Regulations), the city shall regulate as is necessary for the public benefit the use of all land within the corporate limits. The subdivision of land affects public rights-of-way and their use. Therefore, procedural requirements for the review and processing of plats shall be established for the subdivision of land.

§ 153-02 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AGREED SCHEDULE. A time schedule agreed upon by the subdivider and the Planning Commission for installation of required public improvements, and the sequence in which each will be installed.

ALLEY. A minor public right-of-way used primarily for vehicular access to the rear or side of properties otherwise abutting on a street.

ASSURANCE OF COMPLETION. A contract secured by a bond in an amount and with surety satisfactory to the City Engineer, guaranteeing completion of public improvements which are shown on the subdivision preliminary plan.

BOARD OF SUPERVISORS. Chief legislative body of the County of Yuma.

BUILDING SETBACK LINE. The line indicating the minimum horizontal distance between the street right- of-way line and buildings or any projection thereof, other than steps, eaves, or overhangs.

CITY. The City of Yuma, being in Yuma County, State of Arizona.

CITY COUNCIL. The chief legislative body of the City of Yuma.

CITY ENGINEER. The City Engineer of the City of Yuma or their designee for oversight of a given functional role or project.

COUNTY. County of Yuma, State of Arizona.

CUL-DE-SAC. A short, minor street having but one end open for motor traffic; the other being terminated by a vehicular turn-a-round.

DEPARTMENT OF BUILDING SAFETY. The Department of Building Safety of the City of Yuma, Arizona.

~~*DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES.* The Department of Planning and Neighborhood Services of the City of Yuma, Arizona.~~

DEPARTMENT OF COMMUNITY DEVELOPMENT. The Department of Community Development of the City of Yuma, Arizona.

EASEMENT. A grant by a property owner of the use, for a specific purpose or purposes, of a designated strip of land to the general public, a corporation, or other individuals.

GENERAL PLAN. The comprehensive, long-range general plan for the development of the City of Yuma consisting of statements of community goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals.

LOT. A portion of a subdivision intended as a unit for transfer of ownership or for development or both, and having frontage on a dedicated street. In determining the area and dimensions of a lot, no part of the right- of-way of a street or crosswalk may be included.

LOT FRONTAGE. The front dimension of a lot measured along the street right-of-way.

LOT WIDTH. The width of the lots at the building line measured parallel to the street right-of-way line.

MAJOR STREET PLAN OR OFFICIAL MAP. A part of the master plan showing the location and dimensions of principal thoroughfares (land shown in parks along such thoroughfares is not deemed part of the street right-of-way).

MASTER PLAN. A comprehensive subdivision development or neighborhood plan consisting of statements of neighborhood goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals to guide subdivision design and platting. A *MASTER PLAN* shall consist of not less than 80 acres of land.

OFFICIAL MAP. The map established by the City Council as provided by law, showing the streets theretofore existing and established by law as public streets and any amendments thereto adopted by the City Council, as appropriate, or additions thereto resulting from approval of subdivision plats and the subsequent recording of such approved plats.

PLANNING AND ZONING COMMISSION. Planning and Zoning Commission of the City of Yuma.

PLAT OF SUBDIVISION. A map showing the division of any tract of land into two or more parcels, and prepared for the purpose of recording.

PROTECTIVE COVENANT. A restriction on the use of private property within a subdivision for the purpose of providing mutual protection against undesirable aspects of development. Protective covenants regulating the use of land represent an express agreement between the subdivider and the lot purchasers.

PUBLIC IMPROVEMENTS. Any of the following: roadway pavement section, curbs, gutters, sidewalks, crosswalks, water mains, sanitary sewer, storm drains, landscaping, retention basins, and other appurtenant construction as related to the subdivision plan.

RIGHT-OF-WAY. The entire strip of land lying between the property lines of a street or thoroughfare, alley, walkway, or easement.

ROADWAY. The portion of a street available for vehicular traffic between curbs, or the improved portion within the right-of-way.

~~*RULES OF PROCEDURE.* Regulations adopted by the Planning and Zoning Commission and the City Council for the submission and approval of subdivision plats.~~

SIDEWALKS. The portion of a street or walkway, paved or otherwise surfaced, intended for pedestrian use only.

STREET. A right-of-way designed for vehicular and pedestrian traffic, regardless of its designation by name, such as street, thoroughfare, avenue, land, place or the like.

STREET, ACCESS OR FRONTAL. A street running parallel to and adjacent to or in the immediate vicinity of a major street or highway and which has as its purpose the relief of such major street from the local service of abutting properties.

STREET ARTERIAL. A street of great continuity, existing or planned which serves or is intended to serve foreign and local traffic, and which is designated on the major street plan to identify those streets comprising the basic structure of the street system of the city and surrounding area. Arterials are only those streets designated on the master street plan, including additions or corrections thereto.

STREET, LOCAL. A street of limited continuity which serves or is intended to serve the local needs of a neighborhood.

STREET STANDARDS. City of Yuma standard specifications as adopted or amended.

SUBDIVIDER. Any person, firm or corporation acting as a unit, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision as defined herein.

SUBDIVISION. A division of land into two or more lots, tracts or parcels for the purpose of financing, sale or lease, whether immediate or future, except for any division of land which qualifies

as a lot split as specified in § 153-18. *SUBDIVISION* shall include any condominium, cooperative, community apartment, townhouse, or similar project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit thereon, and further indicating the building(s) or the manner in which the building(s) or airspace above the property shown on the plat is to be recorded.

SUBDIVISION PRELIMINARY PLAT. A drawing showing a proposed subdivision of land together with the public improvements which are to be installed therein. Such a drawing is not recordable.

TRACT. A defined area of land regardless of size.

WALKWAY. A public right-of-way used primarily for pedestrian travel through or across any portion of a block.

ZONING. Regulation by districts of the height, area, and use of buildings; use of land and density of population.

§ 153-03 General Principles of Acceptability

(A) *Master plan.*

(1) Streets shall conform substantially to the general plan adopted by the city and any revisions or amendments thereof. Whenever a tract to be subdivided includes any part of a street indicated as an arterial street on the major street plan of the general plan, such part of such street shall be dedicated by the subdivider.

(2) Where frontal or access roads are deemed necessary, additional right-of-way shall be 40 feet on either side of the arterial street.

(B) *Public open spaces and sites.* Where, as indicated by the master plan, a proposed subdivision contains, wholly or in part, a proposed public open space or a proposed site for a public building, such sites shall be reserved unless the concerned authority states it has no intention of development in the area. ~~The Planning and Zoning Commission will immediately notify the concerned authority.~~

(C) *Neighborhood plan.* If a tentative plan has been approved by the ~~Planning and Zoning Commission~~ **Department of Community Development** for the neighborhood of the proposed subdivision, the street system of the latter shall conform substantially thereto.

(D) *Unsubdivided portion of tract.* The ~~Planning and Zoning Commission~~ **Department of Community Development** may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.

(E) *Provision for future subdivision.* If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of the future streets and logical further subdivision.

(F) *Reserved strips prohibited.* There shall be no “reserved” strips controlling access to land dedicated or intended to be dedicated to public use.

§ 153-04 Streets

(A) *Circulation.*

(1) The street pattern shall provide ease of circulation within the subdivision as well

as convenient access to adjoining streets or unsubdivided land, as may be required by the City Engineer.

- (2) Local residential streets should be so planned as to discourage their use by non-local traffic. Where a street will eventually be extended beyond the subdivision but is temporarily dead-ended, an interim turn-around may be required.

(B) *Arterial streets.* If a new subdivision involves frontage on an arterial street, as defined herein, the street layout should be planned to avoid, as far as possible, any private residential driveways from having direct access to such by providing access or frontal streets.

(C) *Existing streets.* Existing street (constructed or recorded) in adjoining territory shall be continued at equal or greater width and in similar alignment by streets proposed in the subdivision, unless variations are approved by the City Engineer.

(D) *Cul-de-sacs.* Cul-de-sacs shall not be longer than 600 feet, unless necessitated by topography or other circumstances beyond the subdividers control.

(E) *Half-streets.* No half-streets will be accepted. Where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half, being a minimum width to meet this chapter, shall be platted.

(F) *Stub streets.* Where a subdivision adjoins unsubdivided land, stub streets shall be provided at locations as determined by the City Engineer to ensure future access and traffic circulation.

(G) *Intersections.* All street intersections shall be at right angles. Where, because of topographic or other reasons, an intersection cannot be at right angles, such intersection shall be designed to insure safety.

(H) *Easements.* Easements for slopes and utilities shall be dedicated wherever necessary as required by the City Engineer. Easements shall be at least eight feet wide across the rear or front of all lots, except that a utility easement adjacent to unsubdivided lands shall be at least ten feet wide. In addition, easements may be required at other suitable locations by the City Engineer.

(I) *Dimensional standards.*

- (1) *Minimum width.* The street right-of-way and roadway width shall not be less than the minimum width shown in the latest adoption of the City of Yuma Construction Standards Detail Drawings and the Transportation Element of the General Plan. Additional right-of-way or easements may be required for utilities, slope rights, drainage facilities or irrigation facilities.

(2) *Alignment; minimum standards.*

- (a) One electronic copy of the complete, plans and profiles for street and alley improvements shall be submitted for approval of the City Engineer prior to approval of the final plat by ~~City Council~~ **the Department of Community Development.**

(b) Vertical curves:

1. Arterial streets: As determined by the City Engineer.
2. Collector, local streets: Minimum length 100 feet, except in cases approved by the City Engineer.

(c) Horizontal curves:

1. Arterials, access and frontal streets: 500 feet.
 2. Collector streets: 200 feet.
 3. Local streets: 100 feet.
 4. Alleys: Laid out to provide turning radius at alley intersection.
- (3) *Reserved curve.* Unless approved by the City Engineer, all streets shall have a tangent of 100 feet between reserve curves.
- (4) *Corners.* At the intersection of two streets, property line corners shall be chamfered by a corner triangle in accordance with the currently adopted design and construction standards. The minimum corner triangle size shall be increased when the smallest angle of intersection is less than 90 degrees, or in any case where the City Engineer considers an increase necessary.

§ 153-05 Blocks

(A) Length of residential blocks shall not be more than 1,000 feet long unless approved by the ~~Planning and Zoning Commission~~ **Department of Community Development**.

(B) Irregular shaped blocks (including superblocks) indented by cul-de-sacs containing interior parks or playgrounds and adequate parking space, will be acceptable when properly designed and covered by agreements as to maintenance of such park areas.

(C) Orientation on arterials: If frontage on an arterial street is involved, the long dimension of the block shall preferably front thereon by means of an access or frontal road, in order to create as few intersections as possible with the arterials.

(D) Business or industrial: Blocks intended for business or industry shall be of such length and depth as may be considered most suitable for their prospective use by the ~~Planning and Zoning Commission~~ **Department of Community Development**, including adequate provision for parking, on-site loading and unloading and buffer, as required by the zoning ordinance.

§ 153-06 Lots.

(A) *Minimum width.* The minimum width of residential lots for all subdivisions shall be 50 feet at the building line and shall have a minimum area as approved by the County Health Unit, unless a larger area is required by the zoning ordinance.

(B) *Length and width ratio.* It is desirable that the length of a lot shall be not more than four times its width.

(C) *Fronting on arterials.* Lots fronting on arterials should be of such depth to accommodate setbacks as set forth in the zoning ordinance.

(D) *Double frontage.* Double frontage lots shall be avoided, except to overcome disadvantages of topography and orientation.

(E) *Side lot lines.* Side lines of lots shall be approximately at right angles or radial to the street line unless, in the opinion of the ~~Planning and Zoning Commission~~ **Department of Community Development**, a variation from this rule will give a better street and lot plan.

(F) *Corner lots.* Corner lots shall have sufficient width to permit the maintenance of the side street building line after providing a minimum building width of 30 feet, and a side yard, as required by the zoning ordinance, on the interior side of the lot.

(G) *Building sites.* Every lot must contain a suitable building site, which will provide minimum yard requirements in compliance with the zoning ordinance.

(H) *Street frontage.* Every lot shall front on a public street having a minimum right-of-way of 50 feet for a distance of not less than 35 feet measured along said right-of-way line.

Procedure for Plat Approval

§ 153-14 Pre-Application Procedure.

(A) Informal consideration. While the subdivision is still in the preliminary planning stage, the applicant shall consult with the Department of ~~Planning and Neighborhood Services~~ **Community Development** through a pre-development meeting, for informal review regarding the general plan, the zoning code, drainage and floodplain regulations, utility regulations, International Building Code, the subdivision code and standard for the design and installation of public improvements.

(B) Upon receiving favorable feedback from the pre-development meeting, the applicant may proceed to prepare the preliminary plat for submittal.

(C) Under no circumstances shall informal favorable consideration by the Department of ~~Planning and Neighborhood Services~~ **Community Development** be construed as formal approval of any subdivision.

§ 153-15 Submittal Process Outline

(A) Step One: Preliminary Plat: The preliminary plat application shall be reviewed and approved by the ~~Planning and Zoning Commission~~ **Department of Community Development**. The preliminary plat shall include applicable information as indicated in Yuma City Code § 153-31(A).

(B) Step Two: Improvement Plans

(1) A complete set of final improvement plans shall be submitted with the preliminary plat application, ~~or within 3 weeks of submitting the preliminary plat application.~~ Improvement plans shall include applicable information as indicated in Yuma City Code §§ 153-47(B), 153-47(C), and 153-47(D).

(2) Three sets of final improvement plans, and supplementary materials as specified, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. If plans are submitted electronically, there shall be no need to provide three hard copy sets.

~~(3) If final improvement plans are not submitted in a timely manner, review and approval of the preliminary plat to the Planning and Zoning Commission may be continued to an appropriate hearing date.~~

~~(4)~~ (3) For phased development projects, final improvement plans for a particular phase must be approved prior to the submittal of a final plat application.

(C) Step Three: Final Plat

The final plat application shall be reviewed and approved by the ~~City Council~~ **Department of Community Development**.

§ 153-16 Preliminary Plat Process

(A) The applicant shall prepare a preliminary plat that includes all applicable information required in Yuma City Code §§ 153-31(A) and 153-47.

(B) Three sets of the preliminary plat, or one electronic copy of the preliminary plat, and

supplementary material as specified, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

~~(C) At the time of submittal of all required preliminary plat and necessary supplemental materials to the Department of Planning and Neighborhood Services, a public hearing date with the Planning and Zoning Commission shall be scheduled in accordance with the Case Review Hearing Deadlines calendar for the year. Generally, public hearings with the Planning and Zoning Commission occur within 60 days of application submittal. At the public hearing, the Planning and Zoning Commission shall express its approval or disapproval of the proposed preliminary plat. The Planning and Zoning Commission shall state the conditions of such approval, if any, or if disapproved, shall express the reasons for the disapproval.~~

~~(B)~~ **(C)** Conditional ~~a~~ Approval of a preliminary plat shall not constitute approval of the final plat. Rather, conditional approval shall be deemed an expression of approval to the subdivision layout, road alignments and number of lots submitted on the preliminary plat as a guide to the preparation of the final plat. The final plat shall be processed in accordance with the requirements of Yuma City Code §§ 153-17, 153-45, 153-46, 153-47, 153-50, and 153-51 of this code.

~~(E)~~ **(D)** The recording of a phase of the preliminary plat automatically extends the approval of the preliminary plat for an additional three years from the date of recording. The maximum time period a preliminary plat may be approved without a final plat submittal is six years.

§ 153-18 Procedure for Approval of Lot Split.

(A) Any division of land into three or fewer parts in which no right-of-way dedication, utility extension or other off-site public improvement is involved may be processed as a lot split subject to approval by the City Planning Director and City Engineer.

(B) Any proposed lot split shall be submitted to the Community Planning Division to determine compliance with applicable platting, subdividing and zoning regulations. The City Planning Director or City Engineer may require the submittal of any additional information as is pertinent to make this determination.

(C) The final plat shall be prepared by an Arizona registered surveyor **or registered civil engineer** on a sheet suitable for recording, or on polyester or linen or a copy reproduced on polyester by a photographic silver imaging process or other method that assures archival quality. Required signatures shall be original signature, not copies, and shall include provisions for signatures by the City Planning Director and City Engineer. The plat must be 24" x 36" or other size as required by the Yuma County Recorder. All drawing, printing, and signatures shall be directly applied to the sheet to be recorded. The use of nonpermanent inks, press-on adhesive letters, films, or tapes is prohibited. The plat shall further include items specified in §§ 153-47. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

§ 153-19 Procedure for Approval of a Ten Lot Subdivision.

(A) A division of land into ten or fewer parts may be processed as a subdivision which does not require the need for a preliminary plat approval. A ten lot or less subdivision shall follow the final plat review process as specified in § 153-46 and will be subject to approval by **the Department of Community Development** ~~City Council~~.

(B) In accordance with state statute, A.R.S. § 9-463.01, the City Engineer may waive or reduce infrastructure standards or requirements except for improved dust-controlled access and minimum drainage improvements.

§ 153-20 Optional Commercial and Industrial Master Plat Process.

(A) *Purpose.* The commercial or industrial subdivision master plat process establishes an optional procedure within the city's subdivision plat process for subsequent divisions of a commercial or industrial master plat into smaller lots or tracts. A commercial or industrial master plat shall comply with all applicable city, state and federal development standards in effect at the time of development and the plat shall comply with the purpose and intent of the city's subdivision regulations.

(B) This procedure can only be followed if:

(1) The commercial or industrial subdivision master plat has completed preliminary and final plat approval per Chapter 153 of the City of Yuma Code of Ordinances;

(2) No further right-of-way dedication, utility extension or other off-site public improvement is involved;

(3) Infrastructure, grading, and all site remediation and improvements are completed prior to the division of the master plat into subsequent lots or tracts.

(C) Subsequent divisions of the master plat shall be processed in accordance with the procedures specified within § 153-18 Procedure for Approval of Lot Split. Minimum lot size is determined by the requirements of the zoning district.

§ 153-21 Filing Fee.

Each subdivision as defined herein shall be accompanied by a completed application form as provided by the City of Yuma Community Planning Division, and a nonreturnable filing fee in accordance with the fee schedule adopted by City of Yuma Ordinance No. 1943, and successors.

Preliminary Plat~~n~~

§153-30 Purpose and Intent

The preliminary plat is intended to precede the final subdivision plat. Its purpose is to show all facts needed to enable ~~the Planning and Zoning Commission and the~~ administrative staff of the city to determine whether the proposed layout of the subject land and the proposed public improvements are in the public interest. All required engineering and surveying work must be performed by or under the supervision of a registered engineer or surveyor registered in accordance with the provisions of the Arizona State Board of Registration for Professional Engineers and Land Surveyors. The following graphic and plat descriptive items are required to be shown on a preliminary plat.

§ 153-31 Preliminary Plat and Plans Submittal Requirements.

(A) *Preliminary plat information:*

- (1) Plat scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on the plat;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, names and addresses of owner and developer;
- (4) Location by section, township, range, county, state;
- (5) Plat signed and sealed by a registered land surveyor;

- (6) North arrow;
- (7) Subdivision boundary shown as a heavy, dark, solid line with accurate distances and bearings to primary control points;
- (8) Location, width and status (i.e., fee title, easement, county declaration, etc.) of all streets, alleys and other rights-of-way within and adjacent to the plat;
- (9) Names of streets within (existing and proposed) and 150 feet outside of the plat boundaries;
- (10) Bearings and distances to the nearest established section, or patent corners or other official monuments;
- (11) Federal Emergency Management Agency flood zone designations shall be clearly indicated or noted on the plat;
- (12) Lengths of all arc radii;
- (13) All existing easements or rights-of-way provided for public services or utilities, canals, or drainage ditches including purposes and any limitations of such easements. Also show and identify all other geophysical features within and 150 feet outside the plat boundaries;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (15) Lot lines (existing and proposed) with dimensions to the nearest foot and bearings;
- (16) Building setback lines, shown graphically along all streets with dimensions;
- (17) Square footage or acreage of each resulting lot;
- (18) All access points (vehicular and pedestrian) located within 150 feet of the proposed subdivision including their location, name, width, title status (i.e., easement, fee title) and recording information, if applicable;
- (19) Names and property lines of adjacent subdivision lots, and unsubdivided lands, shown with lightly dashed lines. Unsubdivided lands shall have reference to Yuma County Assessor's Parcel Numbers. Note locations and uses of all parcels or lots with non-residential uses;
- (20) Accurate description of all monument or marker locations used on the plat;
- (21) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in the subdivision, including private streets, if any;
- (22) Retention designations and volumes as required, if applicable. Deed restrictions to be recorded on subdivision plat with identified stormwater storage requirements;
- (23) Clearly identify or note zoning district boundaries and designations on the property and within 150 feet outside the plat boundary;
- (24) Draft restrictive covenants applying to lots in the subdivision;
- (25) Show USPS approved cluster box unit mailbox locations.
 - (a) Coordinate with the USPS for locations of cluster box unit mailboxes,
 - (b) Provide easement(s) and/or fee title dedication to the City of Yuma on the plat

for the location(s) of the cluster box unit mailboxes,

- (c) The cluster box unit mailboxes and supporting structures shall be located so that they do not create a traffic hazard, sight hindrance or other safety hazard per the American Association of State Highway and Transportation Officials' (AASHTO's) "Intersection Sight Distance" methodology, as presented in the most current revision adopted by the State of Arizona of "A Policy on Geometric Design of Highways and Streets".

(26) Two full street access points shall be shown for the proposed development. Where such access cannot be provided due to existing development or land-locked property, provisions may be added to conditions for subdivision approval, which improve accessibility or reduce fire hazards through ~~sprinklered structures and/or~~ other solutions.

Final Plat

§ 153-45 Preparation and Recording of Plat Required.

A subdivision final plat is the official recordable plat. All required engineering and surveying work must be performed by or under the supervision of a professional engineer and land subdividing and property pin setting by or under the supervision of a land surveyor, registered in accordance with the provisions of the State of Arizona State Board of Technical Registration. The final plat must bear the seal, signature and date of said professional engineer or surveyor.

§ 153-46 Final Plat Process.

(A) The final plat shall be prepared as specified in §§ 153-47 and 153-50 and shall conform substantially to the preliminary plat as approved. If desired by the applicant, the plat may be approved and recorded in phases. Each phase is required to conform to all city requirements and conditions of approval of the preliminary plat.

(B) The final plat shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development** within three years of the approval date of the preliminary plat; otherwise, such preliminary plat shall automatically expire and be null and void. ~~An extension of time applied for prior to the expiration date of a preliminary plat and granted by the Planning and Zoning Commission shall extend such deadline.~~

(C) Three complete sets the final plat or one electronic copy, and other supplementary material required for review, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. Other final plat supplementary materials shall include:

- (1) Completed application form and staff notes from pre-development meeting;
- (2) Filing fee;
- (3) Environmental transaction screen or equivalent documentation (two copies or an electronic copy);
- (4) Engineer's construction cost assessment for determining assurances;
- (5) One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

~~(D) If the Department of Planning and Neighborhood Services determines that all conditions of approval and city codes are satisfied, then the Department of Planning and Neighborhood Services will forward the final plat to the City Council for consideration based on the final~~

~~plat application deadline schedule.~~

§ 153-47 Final Plat Submittal Requirements.

(A) *Final plat information:*

- (1) Final scale to be shown on plat: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, and unit number, if any;
- (4) Names and addresses of owner and developer; location by section, township, range, county and state;
- (5) Professional land surveyor's certification;
- (6) North arrow;
- (7) Signature lines and dates on plat for: City Department of Community Development, City of Yuma Engineer, Acceptance by Mayor, City Clerk or designee, Health Department where applicable; owner(s) signed and notarized approval of plat and dedications of streets, alleys, easements, and any other public areas;
- (8) Subdivision boundary with accurate distances and bearings to primary control points;
- (9) Location and width of all streets, crosswalks, alleys and other rights-of-way within the plat;
- (10) Names of streets within and adjacent to the plat boundaries as defined in approved preliminary plat;
- (11) Bearings and distances to the nearest established section or patent corners or other official monuments;
- (12) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;
- (13) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and limitations of such easements;
- (15) Sequentially-numbered lots with accurate dimensions in feet, to the nearest hundredth and bearings and angles for applicable lot lines;
- (16) Accurate description of all monument or marker locations used on the plat;
- (17) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
- (18) Square footage or acreage of each resulting lot;
- (19) Building setback lines, shown graphically along all streets with dimensions;
- (20) Stormwater retention designations and volumes as required for lots within the

subdivision, if applicable (deed restrictions to be recorded on lots with identified stormwater volume storage requirements);

(21) Any restrictive covenants applying to lots in the subdivision (signed by the owner(s)) and printed on subdivision plat or recorded in the Office of the Recorder;

(22) Show easement(s) for USPS approved cluster box units; monuments or markers shall be located and in place prior to final approval;

(a) The cluster box unit mailboxes must meet the specifications of the United States Postal Service (USPS) with the inscription "US Mail" and "Approved by the Postmaster General" plainly legible and be approved by the local postmaster prior to installation.

(23) Monuments or markers shall be located and in place prior to final plat acceptance of the subdivision of the city.

(24) One full street access and a second access (permanent or temporary) including subdivision improvement plans for each phase of the development shall be shown having accessible routes for emergency access personnel and equipment, subject to the approval of the Fire Marshal. Where such access cannot be provided due to existing development or land-locked property, the ~~Planning and Zoning Commission may recommend conditions for subdivision approval,~~ **proposal shall be subject to review by the Fire Marshal, which may include measures to** improve accessibility ~~or reduce fire hazards through sprinklered structures.~~

(B) *Final plat boundary and topographic survey map information:*

(1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;

(2) Title block including the following information: Subdivision name and unit number, if any;

(3) Name and address of registered land surveyor;

(4) Subdivision boundary with accurate distances and bearings to primary control points;

(5) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;

(6) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;

(7) Bearings and distances to the nearest established section or patent corners or other official monuments (street lines or political subdivision boundaries);

(8) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;

(9) All easements, restrictive covenants and right-of-way provided for public services or utilities, including purposes and any limitations of such easements;

(10) Accurate description of all monument or marker and benchmark locations used on the plat.

(C) *Final plat grading, paving and drainage plan map information:*

(1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;

- (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
 - (3) Subdivision boundary;
 - (4) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;
 - (5) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (6) All easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (7) Accurate description of all monument or marker and benchmark locations used on the plat;
 - (8) Monuments or markers to be constructed in accordance with the City of Yuma standard specifications and/or other specifications;
 - (9) Applicable lot lines with accurate dimensions; onsite stormwater retention designations;
 - (10) Boundary and topographic survey information;
 - (11) Street plans with grades and details;
 - (12) Drainage plans and profiles with grades and details;
 - (13) Street lighting locations and details where necessary.
- (D) Final plat water, sewer, utility and landscaping plan information:*
- (1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;
 - (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
 - (3) Subdivision boundary;
 - (4) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (5) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (6) Applicable lot lines with accurate dimensions;
 - (7) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
 - (8) Monuments or markers to be constructed in accordance with City of Yuma standard specifications and/or other specifications;
 - (9) Boundary and topographic survey information including benchmarks;
 - (10) Water plans and details;
 - (11) Sewer plans and details;

- (12) On-site stormwater retention designations
- (13) Public utilities, including telephone, cable television, electricity or other public utilities and details where necessary
- (14) Landscaping plans including systems for retention and/or detention areas/recreation areas or parks - total linear footage of irrigation lines for landscaping shall be provided by location;
- (15) Lighting locations and details where necessary.

§ 153-50 Final Plat Materials and Documents Required.

Upon approval of the final plat by the ~~City Council~~ **Department of Community Development**, the following materials shall be provided to the Department of ~~Planning and Neighborhood Services~~ **Community Planning** prior to recordation of the plat:

- (A) One reproducible (i.e., mylar) copy of the final plat, with proper signatures to be retained by the County Recorder's Office. Digital copies of the recorded final plat will be distributed to the City of Yuma Department of Planning and Neighborhood Services and the applicant. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.
- (B) Prior to construction, a digital copy of the complete subdivision improvements plans, including street plan and profiles, water, sewer, stormwater drainage and alley improvements shall be submitted to City Engineering.

§ 153-51 Assurance of Completion.

Prior to recordation of a final plat, the applicant shall either construct or install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the Department of ~~Planning and Neighborhood Services~~ **Community Development** an agreement between the applicant and the city. Said agreement shall specify the period within which required improvements and repairs shall be completed and, if the work is not completed within the period specified, it shall provide the city with the ability to complete the work and recover the full cost and expense of all improvements, together with all court costs and attorney fees necessary to collect said amounts from the applicant.

(A) The applicant shall file with the agreement, to assure full and faithful performance thereof, one of the following:

- (1) A surety bond executed by a surety company authorized to transact business in the State of Arizona.
- (2) A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement.
- (3) Cash deposit, including certificates of deposit.
- (4) Letter of credit.

(B) Such assurance of full and faithful performance shall be in a form approved by the City Attorney and shall be for a sum approved by the City Engineer as sufficient to cover the cost of the improvements and repairs and related engineering and incidental expenses. The amount shall be based on a construction estimate of the work to be completed, prepared by a registered engineer and shall be a minimum of 100% of the uncompleted construction estimate, concurred to by the City

Engineer.

(C) If the applicant fails to carry out the provisions of the agreement, without the written concurrence of the City Engineer and the City Engineer determines that the city will incur costs or expenses to complete these provisions, the City Engineer shall call on the assurance monies and deposit those monies in an account specifically set aside for completion of the requirements. If the amount of the assurance monies, called on by the City Engineer, exceeds the costs and expenses incurred by the city for completion of the required improvements, the City Engineer shall refund the remainder. If the amount of the assurance monies, called on by the City Engineer, proves to be insufficient to satisfy the costs and expenses incurred by the city, the applicant shall be liable to the city to satisfy the full amount of the shortfall, upon demand by the city. Ten percent of the required assurance amount shall be retained pending the city's full acceptance of subdivision improvements by the City Engineer. Release of assurances shall be based on the amount of work remaining to be completed. The city will provide written notification of the subdivision improvements acceptance and cause the release of assurances.

Required Improvements

§ 153-60 Improvements Responsibility of Subdivider; Compliance with Standards.

All public improvements shown on the preliminary plan, and any additional improvements that may be required by the ~~Planning Commission~~ **Department of Community Development** as a condition for approval of the final plat, shall be the responsibility of the subdivider. All improvements constructed shall meet the City of Yuma standard specifications, as adopted or amended.

§ 153-61 Streets and Drainage.

(A) *Access.* Any land hereinafter subdivided shall have frontage on an existing dedicated and improved street, road, or highway. Where such proposed subdivision does not meet this condition, it shall be the responsibility of the subdivider to provide access by means of a dedicated and improved street or road.

(B) *Grading.* All streets and alleys within the limits of the subdivision shall be graded full width of the dedicated right-of-way, and all roadways shall be improved to meet the City of Yuma standard specifications, as adopted or amended.

(C) *Drainage.* Any land which is considered to be excessively irregular shall be provided with proper drainage. Where surface drainage is adequate, all appurtenant structures such as combination curb and gutter, driveway and alley entrances, valley gutters, culverts, and the like, will be constructed. Where subsurface drainage is required, all manholes, inlets, or connections to existing systems shall be required. This work shall be done prior to any street surfacing.

(D) *Sidewalks.* Sidewalks of such width and type as required by the City of Yuma standard specifications, as adopted or amended, shall be constructed on both sides of all streets within the subdivision, and in all crosswalkways.

§ 153-62 Utilities.

(A) *Sewer.* Sewer lines shall be installed to serve all lots within the subdivision in accordance with minimum standards of the city. Where sewer service is not available, a system for disposal of sewerage shall be installed in accordance with minimum

requirements of the City-County Health Department. Plans for disposal systems and sanitary sewers shall be approved by the Arizona State Board of Health.

(B) *Water*. Water mains shall be installed to serve all lots within the subdivision, or certified evidence shall be submitted by the subdivider that potable water is available in sufficient quantity.

(C) *Electricity*. Certification from the local electric power company, that electrical service is available and will be provided, shall be submitted by the subdivider. Location of power distribution poles and street light standards shall be indicated on preliminary plat.

(D) *Fire hydrants*. Fire hydrants shall be installed in accordance with requirements of the City Engineer, City of Yuma Fire Department, and the recommendations of the Board of Fire Underwriters.

(E) *Street Lighting*.

(1) Street lighting shall be installed in accordance with city standards along all streets within the subdivision and along perimeter streets developed in conjunction with the subdivision. Where all utilities are proposed to be underground, underground street light circuits shall also be provided. The pole, lamp, luminaries and bracket and underground circuits shall be provided by the developer.

(2) Upon acceptance of the street lighting improvements by the city, the monthly street lighting charges shall be paid by the city. The street lighting improvements shall be maintained by the city.

(F) *Street name signs*. Signs shall be placed at all street intersections. Specifications for design, construction, location and installation shall be in accordance with City of Yuma standard specifications, as adopted or amended.

(G) *Utility connections*. Where practicable, no utilities shall be installed under any streets except where access lines are required from one area to another.

(H) *Mailboxes*. USPS-approved cluster box unit mailboxes shall be installed by the developer in the location(s) approved by the USPS and identified on the final plat. For residential developments, mailbox units must be installed prior to the final inspection of the first dwelling unit (not including the model homes). The responsibility of maintenance, replacement and repairs of the cluster box unit mailboxes is that of the home owners after initial installation by the developer.

§ 153-63 Schedule of Installation.

(A) The improvements required to be made under these regulations shall be installed in compliance with schedules agreed upon during approval of preliminary plan.

(B) Installation of all improvements shall be done under supervision of the City Engineer or under the supervision of the offices of the city having jurisdiction.

Administration and Enforcement

§ 153-75 Administration by City Planning Department.

The provisions of this chapter shall be administered by the Department of ~~Planning and Neighborhood Services~~ **Community Development**, and appeals from any decision of the ~~Planning and Zoning Commission~~ **Department of Community Development** shall go to ~~are~~ **appealable to**

the City Council. ~~Notice of the appeal shall be given to said Planning and Zoning Commission 30 days preceding any meeting held by the City Council pertaining to said appeal.~~

§ 153-76 Variances.

Where the ~~Planning Commission~~ **Community Development Director, or authorized deputy** finds that hardships may result from strict compliance with any of these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Master Plan or of these regulations.

§ 153-77 Large Scale Development.

The standards and requirements of these regulations may be modified in the case of a plan and program for complete community or a neighborhood unit, which in the judgment of the Planning Department and the City Engineer, provides adequate public spaces and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to, and achievement of, the plan.

§ 153-78 Sale of Lots by Metes and Bounds Description.

The sale of property to be used as lots, plots, or building sites in subdivisions only by a metes and bounds description shall be presumed to be an attempt to evade the provisions of this ordinance, and such an instrument shall not be eligible for filing and recording in the office of the County Recorder.

§ 153-79 Issuance of Building Permits.

No building permit shall be issued for the erection of any building on any property other than on a lot of record prior to adoption of these regulations or a resubdivided lot in a duly approved and recorded subdivision without approval of the ~~City Planning Commission~~ **Department of Community Development**.

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 2, Section 1, Planning and Zoning Commission, Subsections A, B, and C, be amended to insert the bolded text and delete the strike through text:

§ 154-02.01 Planning and Zoning Commission.

(A) Created. A City Planning and Zoning Commission is hereby established.

- (1) Charter reference. Power to regulate land use for the public benefit, see Charter Art. III, § 12 and to engage in intergovernmental agreements, see Charter Art. III, § 13.
- (2) Statutory reference. Municipal planning, see A.R.S. §§ 9-461 et seq. and open space preservation, see A.R.S. §§ 9-464 et seq.

(B) Responsibilities. The Planning and Zoning Commission shall be responsible for:

- (1) Identifying and evaluating the unique factors influencing the character and location of development within the City;
- (2) Recommending to the City Council desirable standards for guiding the development and rehabilitation of various sections of the community; and,
- (3) Recommending to the City Council standards for adequate public services and facilities throughout the City.

(C) Duties. The City Planning and Zoning Commission shall:

- (1) Review long term City planning documents and recommend to the City Council that the City adopt or amend the City Council approved General Plan;
- ~~(2) Recommend to the City Council subdivision platting rules and regulations and amendments thereto;~~
- ~~(3)~~(2) Recommend to the City Council the adoption or amendment of zoning regulations consistent with the General Plan;
- ~~(4)~~(3) Recommend to the City Council an official zoning map of the City and amendments thereto consistent with the General Plan; and,
- ~~(5)~~(4) Review and evaluate proposed redevelopment plans for conformity with the General Plan and recommend to the City Council adoption of redevelopment plans consistent with the General Plan.

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 3, Section 1 Citizen Review Process be amended to insert the bolded text and delete the strike through text::

§ 154-03.01 Citizen Review Process

(A) Purpose. To provide appropriate information to adjacent land owners and other potentially affected citizens of requested zoning map amendments, conditional use permits, specific plans and ~~subdivisions of land and~~ allow opportunities to express any issues or concerns that they may have with the proposal before the public hearing.

(B) Notification. All notifications sent pursuant to § 154-03.02 shall include:

- (1) The substance and location of the proposal;
- (2) The purpose or intent of the proposal;
- (3) Contact information for the staff and the applicant, or his or her agent, which may include telephone numbers, mailing and e-mail addresses; and
- (4) Meeting dates and locations of neighborhood meetings, if deemed appropriate.

(C) Neighborhood meetings. Following application for zoning map amendment, conditional use permit, **or specific plan** ~~or preliminary subdivision of land~~, a neighborhood meeting or other public input opportunity may be required. City staff will establish the process and procedures for the neighborhood meetings. Failure by the applicant to participate in the neighborhood meeting, will delay the development review process for the subject application.

SECTION 4: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof during which any violation of said sections occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

SECTION 5: The immediate operation of the provisions of this Ordinance is necessary to meet the requirements of House Bill 2447 as adopted by the Legislature and signed by the Governor, requiring compliance by December 31, 2025, and, therefore, an emergency is declared to exist. This Ordinance is enacted as an emergency and shall be in full force and effect immediately upon its passage by the

City Council, as required by law, and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona and the Charter of the City.

Adopted this _____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney